Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/020,605	AMRUTUR ET AL.
	Examiner	Art Unit
	Joseph D. Torres	2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*17 May 2004*</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.
   4a) Of the above claim(s) *11-33* is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-10* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *11 December 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1.   Applicant's election without traverse of Group I, claims 1-10 in the reply filed on

07 May 2004 is acknowledged.

Claims 11-33 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as

being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made **without** traverse in the reply filed on 07 May 2004.

This application contains claims 1-33 drawn to an invention nonelected without traverse

in the reply filed on 07 May 2004. A complete reply to the final rejection must include

cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See

MPEP § 821.01.

Drawings

2.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they do not include the following reference character(s) mentioned in the

description: '2' in line 16 of page 7 and '7' in line 11 of page 8. Corrected drawing

sheets are required in reply to the Office action to avoid abandonment of the

application. Any amended replacement drawing sheet should include all of the figures

appearing on the immediate prior version of the sheet, even if only one figure is being

amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the

page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing

figures. If the changes are not accepted by the examiner, the applicant will be notified

and informed of any required corrective action in the next Office action. The objection

to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kimmitt;

Myles (US 6738935 B1).

35 U.S.C. 102(e) rejection of claims 1 and 6.

Kimmitt teaches a serial communications system (See Abstract in Kimmitt; Note the

Abstract teaches that data words are serialized for transfer over a serial link)

comprising: a scrambler for converting received data into scrambled data (Scrambler

54a-54d in Kimmitt is a scrambler for converting received interleaved data into

scrambled data; Note: Interleaved data is data); and an ECC encoder for converting

said scrambled data into ECC-encoded data (Parity and Control ECC Encoder 26 in

Figure 3 of Kimmitt is an ECC encoder for converting said scrambled data into ECC-

encoded data). Note: the system in Figure 3 clearly provides a method for carrying out the steps in claim 6.

35 U.S.C. 102(e) rejection of claims 2, 7 and 8.

Kimmitt teaches a serializer for converting said ECC-encoded data into serialized data (serializer SERDES A-D in Figure 2 of Kimmitt is a serializer for converting said ECC-encoded data into serialized data); wherein the ECC-encoded data includes frame alignment information (col. 15, lines 26-33 in Kimmitt teach that R1<a:d> (TXCE19) parity bits are used as frame alignment information; see col. 16, lines 35-67 and col. 17, lines 1-67 in Kimmitt for details); and the system further comprises a receiver for receiving said serialized data and converting the serialized data into data frames based upon the frame alignment information (the Reciever in Figure 7 of Kimmitt is a receiver for receiving said serialized data and converting the serialized data into data frames based upon the frame alignment information).

35 U.S.C. 102(e) rejection of claims 3 and 9.

Kimmitt teaches a frame-recoverer for converting said serialized data into data frames (col. 17, lines 2-5 in Kimmitt teach that Multiplexer 182 in Figure 8 can re-frame across arbitrary word boundaries hence is a frame-recoverer for converting said serialized data into data frames); an ECC decoder for converting said data frames into ECC-decoded data and error indications (Parity Check Logic 186 in Figure 8 is an ECC decoder for converting said data frames into ECC-decoded data and error indications CE); and a

scrambler for converting said ECC-decoded data into de-scrambled data (Descrambler

158 in Figure 7 of Kimmitt is a scrambler for converting said ECC-decoded data into de-

scrambled data).

35 U.S.C. 102(e) rejection of claim 4.

Col. 15, lines 26-33 in Kimmitt teach that R1<a:d> (TXCE19) parity bits are used as

frame alignment information; see col. 16, lines 35-67 and col. 17, lines 1-67 in Kimmitt

for details.

35 U.S.C. 102(e) rejection of claim 5 and 10.

Kimmitt teaches said ECC encoder applies an error correction code in converting said

scrambled data into said ECC-encoded data (Parity and Control ECC Encoder 26 in

Figure 3 of Kimmitt applies an error correction code in converting said scrambled data

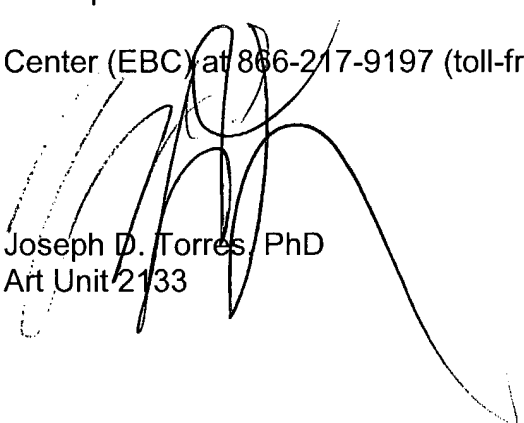from Scrambler 54a-54d into said ECC-encoded data).

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Jou; Yu-Cheun (US 6389000 B1) teaches a method and

apparatus for maximizing system throughput and increasing signal diversity by

dynamically multiplexing signals onto multiple carriers in a spread spectrum

communication system.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Joseph D. Torres whose telephone number is (703)
308-7066. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Albert Decady can be reached on (703) 305-9595. The fax phone number
for the organization where this application or proceeding is assigned is 703-872-9306.
Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published
applications may be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through Private PAIR only. For
more information about the PAIR system, see http://pair-direct.uspto.gov. Should you
have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free).

Joseph D. Torres/ PhD
Art Unit 2133